

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:16CR63 |
| |) | |
| vs. |) | ORDER |
| |) | |
| GILBERT GOMEZ, JR., |) | |
| JESUS AGUIRRE, |) | |
| GILBERT GOMEZ, SR., |) | |
| MONICA GOMEZ and |) | |
| MARTIN GOMEZ, |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on the motion to continue the trial of this matter by Jesus Aguirre (Filing No. 81). Aguirre's counsel represents that government's counsel has no objection. Upon consideration, the motion will be granted and trial will be continued **as to all remaining defendants**.

IT IS ORDERED:

1. Aguirre's motion to continue trial (Filing No. 81) is granted.
2. Trial of this matter **as to all defendants** is re-scheduled for **August 29, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 27, 2016, and August 29, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 28th day of June, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge